REMARKS

Applicant gratefully acknowledges that claims 2-4, 14-15, 23-28, 30-32, 34-38, 57 and 59 are allowable. In order to expedite allowance of the application, claims 62 and 63 have been canceled and the limitations of claim 62 have been introduced in claim 2 and the limitations of claims 63 have been introduced into claim 30.

Due to the cancellations of claims 62 and 63, claims 3, 4, 14, 23, 26 and 27 have been amended to depend from claim 2, and claims 31, 32, 34 and 57 have been amended to depend from claim 30.

Applicant also gratefully acknowledges that claims 8-13, 17-22, 40-56 and 60-61 would be allowable if claims 8, 60 and 61 were amended to overcome the pending rejections under 35 USC 112, second paragraph.

Accordingly, the ending portion of claim 8 has been amended to recite:

"when ~~in case of non-identity, between~~ one or more of a predetermined nominal image, a nominal table, and a list of desired state and command variables in a virtual model of the plant~~, and~~ are not the same as one or more of an image, a table, and state and command variables that are actually processed during the operation of the logical engine."

By this amendment, the term "non-identity," which had been held to be ambiguous, has been replaced with "not the same." Claim 61 has been amended likewise.

The ending portion of claim 69 has also been amended as follows:

"wherein the validation and certification system comprises an additional <u>separate</u> program for generating control and command logical signals generated and memorized in the validation and certification system,

~~wherein the additional program is generated through means different from the plant simulation software,~~

~~wherein the additional program and the plant simulation software are compared so to verify that the additional program and the plant simulation software produce identical results,~~

wherein the additional program and the plant simulation software each comprise a Boolean equation system, and

~~wherein~~ <u>further comprising the steps of</u>:

comparing the additional program and the plant simulation software ~~are compared~~ by comparing one or more of the Boolean equation systems of the additional program and of the plant simulation software, or results of simulating tests executed with the additional program and the plant simulation software, and

verifying that the additional program and the plant simulation software produce identical results."

By this amendment, the paragraph "wherein the additional program is generated through means different from the plant simulation software" has been deleted and replaced instead with "separate" in the immediately preceding paragraph; and the paragraph "wherein the additional program and the plant simulation software are compared so to verify that the additional program and the plant simulation software produce identical results" has been deled because redundant in view of the last two amended paragraphs of the claim. In particular, the paragraph beginning with "comparing" details how the comparison is performed, resolving one of the bases for the rejection under 35 USC 112, second paragraph.

Support for this amendment is found, e.g., at paragraphs [0222]-[0225] of the published application.

Conclusion

It is believed that all objection and rejections in the application have been addressed and that the application is in condition for allowance. A notice to that effect is respectfully requested.

Dated: January 4, 2010   Respectfully submitted,

/Franco A. Serafini/
Franco A. Serafini, Registration No.
52,207 Attorney for Applicant
Tel. (858) 456-2898
Fax: (858) 225-3920

THEMIS LAW
7660 Fay Ave Ste H-535
La Jolla, CA 92037